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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF WASHINGTON  
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9 TIMOTHY DAHMEN, a married man,  
10 Plaintiff,  
11 v.

No. 2:15-cv-00076-SAB

**ORDER GRANTING STAY**

12 LIBERTY MUTUAL GROUP, INC., a  
13 Massachusetts corporation; LIBERTY  
14 MUTUAL INSURANCE COMPANY, a  
15 Massachusetts corporation and wholly  
16 owned subsidiary of Liberty Mutual  
17 Group; LIBERTY LIFE ASSURANCE  
18 COMPANY OF BOSTON, a  
19 Massachusetts corporation and wholly  
20 owned subsidiary of Liberty Mutual  
21 Group; LIBERTY MUTUAL SHORT  
22 TERM DISABILITY PLAN, a disability  
23 plan under ERISA statutes; and LIBERTY  
24 MUTUAL LONG TERM DISABILITY  
25 PLAN, a disability plan under federal  
26 ERISA statutes,  
27 Defendants.  
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1 Before the Court is the parties' Stipulated Motion for an Extension of Time,  
2 ECF No. 121; a related motion to expedite, ECF No. 120; a Stipulated Motion to  
3 Stay Action Pending Administrative Review, ECF No. 123; and a related motion  
4 to expedite, ECF No. 122.

5 The parties request a stay of this action to allow for the administrative  
6 review of Plaintiff's newly-filed long-term disability claims. Because the parties  
7 have stipulated to a stay, and because a stay will conserve the resources of both the  
8 parties and the Court, and possibly allow for the amicable settlement of the case,  
9 the Court **grants** the motion to stay.

10 Given that the parties are processing Plaintiff's long-term disability claim  
11 under an administrative review, and that discovery on the conflicts of interest issue  
12 needs to take place to properly review these claims, the Court **grants** the parties'  
13 request to extend discovery. No parties' right to discovery shall be prejudiced by  
14 this order.

15 Accordingly, **IT IS HEREBY ORDERED:**

16 1. The parties' Stipulated Motion for an Extension of Time, ECF No. 121, is  
17 **GRANTED**.

18 2. The parties' Stipulated Motion to Expedite, ECF No. 120, is **GRANTED**.

19 3. The parties' Stipulated Motion to Stay Action Pending Administrative  
20 Review, ECF No. 123, is **GRANTED**.

21 4. The parties' second Stipulated Motion to Expedite, ECF No. 122, is  
22 **GRANTED**.

23 5. This action is **STAYED** until either Plaintiff or Defendants notify the  
24 Court that the stay should be lifted following the filing and exhaustion of the long-  
25 term disability claim, or following a stipulated dismissal. The current bench trial  
26 date of January 27, 2017, is **VACATED**.

27 6. The terms establishing by the parties, set forth at ECF No. 23 at 2-3, shall  
28 govern the stay.

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1 7. All pending discovery requests and discovery deadlines are **STAYED**.

2 8. Given that this case is now stayed, and that the parties' pending motions  
3 for summary judgment involve inconsistent standards of law that may not reflect  
4 the Court's prior orders, the Court believes that these motions should be struck  
5 and re-filed at a later date. Thus the parties' motions for summary judgment, ECF  
6 Nos. 80, 101, 105, and 110, are **STRUCK** without prejudice. If, upon notice from  
7 the parties, the stay is lifted from this case, the parties may re-file and re-note these  
8 motions, in their current form or edited, without any prejudice to deadlines, or the  
9 issues or arguments therein.

10 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
11 file this Order and provide copies to counsel.

12 **DATED** this 15th day of December, 2016.



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18 Stanley A. Bastian  
19 United States District Judge  
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